

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Application of:

Joseph J. Kubler et al.

Serial No. 10/760,035

Filed: January 16, 2004

For: HIERARCHICAL DATA  
COLLECTION NETWORK  
SUPPORTING PACKETIZED VOICE  
COMMUNICATIONS AMONG  
WIRELESS TERMINALS AND  
TELEPHONES

Examiner: ROBERTS, BRIAN S

Group Art Unit: 2619

Confirmation No.: 8478

**CERTIFICATE OF ELECTRONIC FILING**

I hereby certify that this correspondence is  
being sent via electronic filing to the United  
States Patent and Trademark Office on this  
date:

July 17, 2008

/Philip Henry Sheridan/

Philip Henry Sheridan

Reg. No. 59,918

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Attached with this electronic submission are the following:

- A completed PTO/SB/08A which has one (1) page.
- A copy of each printed reference listed in the PTO/SB/08 form is attached. Applicants, however, have not submitted U.S. Patents or other references previously provided to or by the PTO in this application. Five (5) references are attached.

**FEE DETERMINATION AND PAYMENT**

A fee of \$180.00 is due because:

- The first Office action on the merits has been received by applicant(s).
- Applicant(s) believe(s) that this statement and attachments are being filed before any final action has been mailed by the PTO; before a notice of allowance has

issued; and prior to any other action that would close prosecution in the application. The basis of this belief is that no final action, no notice of allowance, and no other action that would close prosecution of the application appear to have been received by the undersigned to date.

The Commissioner is hereby authorized to charge any fees which are presently required, or credit any overpayment, to Deposit Account No. 13-0017.

## **REQUEST FOR CONSIDERATION**

This paper and attachments are believed to be entitled to consideration under 37 C.F.R. § 1.97, based on the facts stated above.

The owner of record of the present application, Broadcom Corporation, is currently involved in an ex parte reexamination of U.S. Patent No. 6,389,010 (Control No. 90/008,938) at the request of Qualcomm, Inc.

The references being submitted have been either cited, produced or relied upon by Qualcomm thus far during the above-mentioned reexamination. This electronic submission is in no way intended as an admission that the submitted references constitute prior art under any subsection of 35 U.S.C. §102 or §103. Applicant expressly retains the right to argue that any of the cited references are not indeed prior art or to take any actions necessary to remove any of the cited references from the available prior art.

The Examiner is requested to initial the attached PTO/SB/08A and return a copy to the applicants to indicate consideration of the attached references.

Respectfully submitted,

Date: July 17, 2008

/Philip Henry Sheridan/  
Philip Henry Sheridan  
Reg. No. 59,918

McAndrews, Held & Malloy, Ltd.  
500 West Madison Street, 34<sup>th</sup> Floor  
Chicago, Illinois 60661  
(T) 312 775 8000  
(F) 312 775 8100